IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 568/2004

Shri Arvind Gaunkar,
r/o. H.No.538- A, Ameya Vado,
Village Panchayat of Betki,
Khandola, Ponda, Goa. ..... Petitioner.

V/s.

1. The Deputy Collector (L.A.),
having Office at Collector,
North Goa, Panaji, Goa.

2. The State of Goa through its
Chief Secretary, having Office
at Secretariat, Porvorim, Goa. ..... Respondents.

Shri N. N. Sardessai, Advocate for the petitioner.

Shri S. S. Kantak, Advocate General with Ms. Gauri Bhonsule,
Additional Government Advocate for the respondents.

CORAM : R.M. LODHA, J.

DATE : 16th September, 2005.

ORAL JUDGMENT

Heard. Rule, returnable forthwith. The Additional Government Advocate on record waives service. By consent, Rule is heard finally at this stage.

2. The learned Advocate General for the respondents submits that the impugned orders dated 17/03/2003 and 30/08/2004 are indefensible having been passed without any reasons.

3. In the light of the submission of the learned Advocate General, the matter is not required to be dealt with elaborately.

4.. The Rule is accordingly disposed of by following order :

(i) The impugned orders dated 17/03/2003 and 30/08/2004 are quashed and set aside.

(ii) This will not preclude the concerned Authorities to proceed with and decide the matter of unauhorised construction/ regularisation in accordance with law.

No costs.

R.M. LODHA, J.

ssm.